

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE: ZIMMER NEXGEN KNEE  
IMPLANT PRODUCTS LIABILITY  
LITIGATION

MDL NO. 2272

This Document Relates to:

Master Docket Case No. 1:11-cv-05468

*Jack Perry et al. v. Zimmer, Inc., et al.*,  
1:12-cv-06853

Honorable Rebecca Pallmeyer

**STIPULATION TO DISMISS CASE**

**WHEREAS**, On August 24, 2012, Plaintiffs Jack L. Perry and Connie Perry ("Plaintiffs") filed a complaint against the Zimmer Entities<sup>1</sup> directly into the Zimmer NexGen Knee Implant Products Liability MDL in the United States District Court for the Northern District of Illinois, even though venue does not lie in this District.

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned counsel, that the above-caption case shall be dismissed without prejudice to allow Plaintiffs to re-file the case in a proper venue and to file a notice of tag-along for transfer to the Zimmer NexGen Knee Implant Products Liability MDL, pursuant to the procedures established by the Judicial Panel On Multidistrict Litigation.

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<sup>1</sup> For purposes of this Stipulation, the "Zimmer Entities" includes the following entities: Zimmer, Inc., Zimmer Holdings, Inc., and Zimmer Surgical, Inc., f/k/a Zimmer Orthopaedic Surgical Products, Inc.

/s/ Blake A. Shuart

Blake A. Shuart

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*Attorney for Defendants Zimmer, Inc., Zimmer Holdings, Inc., and Zimmer Surgical, Inc., f/k/a Zimmer Orthopaedic Surgical Products, Inc.,*

**CERTIFICATE OF SERVICE**

I certify that on September 14, 2012, a copy of the foregoing Stipulation To Dismiss Case was filed electronically. Parties may access this filing through the Court's system.

/s/ Joseph H. Yeager, Jr.